

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROWLAND MARCUS ANDRADE,

Defendant.

Case No. 20-cr-00249-RS (LB)

DISCOVERY ORDER

Re: ECF No. 374

This discovery motion in part is to compel cooperator discovery — *Brady* and Rule 16 — related to Jack Abramoff.¹ The court previously ordered its production.² The court held a hearing on December 12, 2024. In its opposition and at the hearing, the government confirmed that it had produced all discovery. The court accepts that representation. The caveat is that “under the government’s control” includes categories such as any SEC parallel investigation and review of SEC and FBI notes relevant to *Brady*. The government must conduct any review necessary. At the hearing, the government confirmed that it was complying with those obligations. Again, the court accepts that representation.

¹ Mot. – ECF No. 374. Citations refer to the Electronic Case File (ECF); pinpoint citations are to the ECF-generated page numbers at the top of documents.

² Order – ECF No. 165 at 2–3.

1 Mr. Andrade also asked for disclosure of search warrants (including applications and
2 affidavits) and subpoenas (and all responses) about Mr. Abramoff and other individuals and
3 entities (thirty-two in all). At the hearing, it was evident that the government has produced
4 everything it has about Mr. Abramoff and — for the investigation that this prosecution team has
5 conducted — all that it has discovered (as opposed to producing only selected parts of what it
6 has). As discussed at the hearing, the reach of what the defense asks for is beyond Rule 16. The
7 court’s earlier orders have laid out the government’s disclosure obligations under Rule 16 and
8 *Brady*. The phrase “within the government’s possession, custody or control” applies to the federal
9 prosecutor and those federal agencies involved in the investigation or the subject matter of the
10 prosecution. *See, e.g., United States v. Brazel*, 102 F.3d 1120 (11th Cir. 1997); *United States v.*
11 *Bryan*, 868 F.2d 1032 (9th Cir. 1989). It does not create an obligation to “comb the files of every
12 federal agency” that may conceivably have relevant information or statement. *Id.*

13 **IT IS SO ORDERED.**

14 Dated: December 14, 2024



15 LAUREL BEELER
16 United States Magistrate Judges
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